

REMARKS

Claims 1-35 and 107-110 have been canceled. Claims 36-106 are now pending in the application, of which claims 44-100 and 102-106 have been withdrawn from consideration.

Applicants amend claim 101 for further clarification. No new matter has been added.

Claim 101 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

Applicants respectfully submit that a storage medium is inherently non-transitory. Applicants amend claim 101 to explicitly recite "a non-transitory computer-readable storage medium," and request that the Examiner withdraw the § 101 rejection.

Claims 36, 41-43, and 101 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,875,231 to Farfan et al. in view of U.S. Patent No. 4,488,004 to Bogart et al., and further in view of U.S. Patent No. 5,268,957 to Albrecht; claim 37 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Farfan et al. in view of Bogart et al., Albrecht, and further in view of U.S. Patent No. 5,577,111 to Iida et al.; and claims 38-40 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Farfan et al. in view of Bogart et al., Albrecht, and further in view of U.S. Patent No. 5,692,033 to Farris. Applicants respectfully traverse the rejections.

The Examiner conceded that Farfan et al. and Bogart et al. failed to disclose:

"wherein the connection is through a public telephone network and cannot be connected due to the second telephony device being busy; and executing a camp-on control between the second telephony device and the first telephony device by controlling the second private branch exchange using the received control request information." Page 5, lines 8-12 of the Office Action.

The Examiner, thus, relied upon Albrecht as a new combining reference that allegedly suggests these features. But Albrecht only describes communication apparatuses—i.e., telephones 18 and PCs 20—being connected within a communication system via a cable 22 to communication equipment 14 within a private branch exchange (PBX 12):

"Referring now to FIG. 1, there is shown an exemplary communication system 10 comprising Central Office (CO) or Private Branch Exchange (PBX) 12 (shown within a dashed-line box) comprising communication equipment 14 (shown within a dashed-line box), exemplary Voicemail system 16 (shown within a dashed-line box), and a plurality of communication devices comprising telephones 18 (there being shown telephones 18-1, 18-2, 18-3 and 18-4), and computers 20 (there being shown computers 20-1 and 20-2) which are connected to the communication equipment 14 by separate wire pairs in a cable 22. It is to be understood that communication equipment 14 comprises switching equipment 24 and other circuits 26 needed to complete a call between a subscriber of one of telephones 18-1 to 18-4 or computers 20-1 and 20-2 and another one of said telephones or computers." Col. 3, lines 47-63 of Albrecht. (Emphasis added)

Indeed, Albrecht explicitly describes a messaging system "in a communication system" and call-back features for a voicemail system "within a company location":

"The present invention is directed to a technique for selectively storing a message (or note) by a calling party in a communication system when a call to a called party call not be completed and an automatic or manual redial function is activated. ... This message can be stored locally in an intelligent calling communication device, or centrally in a Voicemail system or PBX for non-intelligent communication devices." Abstract of Albrecht. (Emphasis added); and

"Another new service is an automatic call-back service which provides automatic call-back to effect completion of a call within a predetermined zone of communication, e.g., within a company location, whenever a called party's phone is initially found busy. Automatic call-back service is provided by various systems termed, for example, a 'Voicemail system' which forms part of a communication system. With such service, when a calling party makes a call and finds that the called number is busy,

the calling party can activate the Voicemail system to automatically complete that call whenever the other telephone is placed on-hook without further involving the calling party." Col. 1, lines 46-58 of Albrecht. (Emphasis added)

Thus, Albrecht consistently only describes messaging and callback features within a unitary central system of a predetermined zone, e.g., an office. In context, Albrecht, as cited and relied upon by the Examiner—and correspondingly, the proposed combination of references—fails to disclose or suggest computer telephony integration control request information and camp-on control features for a call between a first telephony device connected with a first private branch exchange and a second telephony device connected with a second private branch exchange through a public telephone network.

In other words, even assuming, arguendo, that it would have been obvious to one of ordinary skill in the art at the time the claimed invention was made to combine Farfan et al., Bogart et al., and Albrecht such a combination would still have failed to disclose or suggest,

"[a] computer telephony integration client unit for transmitting computer telephony integration control request information for use in requesting computer telephony integration control to a computer telephony integration server unit, comprising:

a computer telephony integration control request information editing unit that edits the computer telephony integration control request information when a call from a first telephony device connected with a first private branch exchange to a second telephony device connected with a second private branch exchange through a public telephone network cannot be connected due to the second telephony device being busy; and

a communications control unit that communicates with the computer telephony integration server unit through a computer network the computer telephony integration control request information and information relating to the computer telephony integration control request information so that the computer telephony integration server unit executes a camp-on control between the second telephony device and the first telephony device by controlling the second private branch exchange using the

received computer telephony integration control request information," as recited in claim 36. (Emphasis added)

Accordingly, Applicants respectfully submit that claim 36, together with claims 41-43 dependent therefrom, is patentable over Farfan et al., Bogart et al., and Albrecht, separately and in combination, for at least the above-stated reasons. Claim 101 incorporates features that correspond to those of claim 36 cited above, and is, therefore, patentable over the cited references for at least the same reasons.

The Examiner cited Iida et al. and Farris as combining references to respectively address the additional features recited in claims 37-40, which depend from claim 36. As such, combinations with these references would still have failed to cure the above-described deficiencies of Farfan et al., Bogart et al., and Albrecht in connection with claim 36. And thus, Applicants respectfully submit that claims 37-40, dependent from claim 36, are patentable over the cited references for at least the above-stated reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

/Dexter T. Chang/

Dexter T. Chang

Reg. No. 44,071

CUSTOMER NUMBER 026304

Telephone: (212) 940-6384

Fax: (212) 940-8986 or 8987

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